

Application No. 10/675,843
Reply to Office Action of June 14, 2007

AMENDMENTS TO THE DRAWINGS

Ten amended drawing figures are attached following page 22 of this paper. The amended drawing figures are numbered 3-11. The Applicant has corrected the hand-written numbering on the originally submitted drawings. The ten replacement sheets are being submitted as formal drawings. The Applicant points out that no new matter has been introduced by the amendments to Figures 3-11.

REMARKS / ARGUMENTS

The present application includes pending claims 1-34, all of which have been rejected. By this Amendment, claims 1-4, 6-7, 9-10, 12-15, 17-18, 20-21, 23, 28, and 31 have been amended, as set forth above, to further clarify the language used in these claims and to further prosecution of the present application. The Applicant respectfully submits that the claims define patentable subject matter.

Initially, the Applicant notes that a goal of patent examination is to provide a prompt and complete examination of a patent application.

It is essential that patent applicants obtain a prompt yet complete examination of their applications. Under the principles of compact prosecution, each claim should be reviewed for compliance with every statutory requirement for patentability in the *initial review* of the application, even if one or more claims are found to be deficient with respect to some statutory requirement. Thus, Office personnel *should state all reasons and bases for rejecting claims in the first* Office action. Deficiencies should be explained clearly, particularly when they serve as a basis for a rejection. Whenever practicable, Office personnel should indicate how rejections may be overcome and how problems may be resolved. A failure to follow this approach can lead to unnecessary delays in the prosecution of the application.

See Manual of Patent Examining Procedure (MPEP) § 2106(II). As such, the Applicant assumes, based on the goals of patent examination noted above, that the present Office Action has set forth "all reasons and bases" for rejecting the claims.

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Claims 6-11, 17-22 and 28-33 stand rejected under 35 U.S.C. § 112, 2nd paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-34 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2002/0124258, issued to Fritsch (hereinafter, Fritsch). The Applicant respectfully traverses these rejections at least based on the following remarks.

I. Objections to the Drawings

The drawings were objected to "because the reference element numbers do not match the description in the Specification." See the Office Action at page 2. The Examiner is further alleging that numberings from Applicant's Figure 1 do not match the description in paragraphs [46] and [47]. The Applicant respectfully disagrees. The Applicant has reviewed the entire description of Figure 1 and would like to point out that the numberings from Figure 1 correspond correctly to the description in the specification, including paragraphs [46] and [47]. The Applicant submits that no correction to the element numbers is required and the objection should be withdrawn.

To further prosecution of the present application, ten amended drawing figures are attached following page ____ of this paper. The amended drawing figures are numbered 3-11. The Applicant has corrected the hand-written numbering on the originally submitted drawings. The ten replacement sheets are

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being submitted as formal drawings. The Applicant points out that no new matter has been introduced by the amendments to Figures 3-11.

II. Claim Rejections under 35 USC § 112

Claims 6-11, 17-22 and 28-33 stand rejected under 35 U.S.C. § 112, 2nd paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 6, 9, 17, 20, 28, and 31 have been amended, as set forth above, to address the rejection under 35 USC § 112. The Applicant submits that this rejection is now overcome and it should be withdrawn.

REJECTION UNDER 35 U.S.C. § 102

III. Fritsch Does Not Anticipate Claims 1-34

The Applicant now turns to the rejection of claims 1-34 under 35 U.S.C. 102(e) as being anticipated by Fritsch. With regard to the anticipation rejections under 102(e), MPEP 2131 states that "[a] claim is anticipated only if **each and every element** as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." See Manual of Patent Examining Procedure (MPEP) at 2131 (internal citation omitted). Furthermore, "[t]he identical

invention must be shown in as complete detail as is contained in the ... claim."

See id. (internal citation omitted).

A. Rejection of Independent Claim 1 under 35 U.S.C. § 102(e)

With regard to the rejection of independent claim 1 under 102(e), the Applicant submits that Fritsch does not disclose or suggest at least the limitation of "**automatically routing said automatically transferred at least one of media, data and service from said first view of said at least one of said first media processing system and said first personal computer to a second view of at least one of a second media processing system and a second personal computer, wherein said first and second views comprise one or more of the following: a device view, a media view, and a channel view,**" as recited by the Applicant in independent claim 1 (emphasis added).

The Office Action states the following:

Fritsch disclosed a method and system comprising automatically transferring at least one of media, data and service to a view of at least one of a first media processing system and a first personal computer within the distributed media network ("media delivery center receives media-rich broadcasts", see paragraph [0028], [0031], [0033]); and automatically routing said automatically transferred at least one of media, data and service from said view of said at least one of said first media processing system and said first personal computer to a view of at least one of a second media processing system and a second personal computer ("media programs are delivered to output devices by a media delivery system',, see paragraph [0028], [0031], [0033]).

See Office Action at page 4. The Examiner is relying on paragraphs 0028, 0031, and 0033 of Fritsch for support. Paragraph 0028 of Fritsch discloses that media programs may be delivered to output devices by a media delivery system. Paragraph 0031 of Fritsch discloses a data delivery system, and paragraph 0033 of Fritsch discloses a media delivery center. Initially, the Applicant points out that Fritsch, including paragraphs 0028, 0031, and 0033 of Fritsch, does not disclose or suggest that information is communicated in a device view, in a media view, and/or a channel view. Furthermore, the Applicant points out that **Fritsch, including paragraphs 0028, 0031, and 0033 of Fritsch, does not disclose or suggest that media, data and/or services are automatically routed from a first media processing system using a first view (device, media view, and/or a channel view), to a second media processing system using a second view (device, media view, and/or a channel view).**

Therefore, the Applicant submits that Fritsch does not disclose or suggest at least the limitation of "automatically routing said automatically transferred at least one of media, data and service from said first view of said at least one of said first media processing system and said first personal computer to a second view of at least one of a second media processing system and a second personal computer, wherein said first and second views comprise one or more of the

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following: a device view, a media view, and a channel view," as recited by the Applicant in independent claim 1.

Accordingly, independent claim 1 is not anticipated by Fritsch and is allowable. Independent claims 12 and 23 are similar in many respects to the method disclosed in independent claim 1. Therefore, the Applicant submits that independent claims 12 and 23 are also allowable over the references cited in the Office Action at least for the reasons stated above with regard to claim 1.

B. Rejection of Dependent Claims 2-11, 13-22 and 24-34

Based on at least the foregoing, the Applicant believes the rejection of independent claims 1, 12 and 23 under 35 U.S.C. § 102(e) as being anticipated by Fritsch has been overcome and requests that the rejection be withdrawn. Additionally, claims 2-11, 13-22 and 24-34 depend from independent claims 1, 12 and 23, respectively, and are, consequently, also respectfully submitted to be allowable.

The Applicant also reserves the right to argue additional reasons beyond those set forth above to support the allowability of claims 2-11, 13-22 and 24-34.

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CONCLUSION

Based on at least the foregoing, the Applicant believes that all claims 1-34 are in condition for allowance. If the Examiner disagrees, the Applicant respectfully requests a telephone interview, and requests that the Examiner telephone the undersigned Attorney at (312) 775-8176.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to the deposit account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

A Notice of Allowability is courteously solicited.

Respectfully submitted,

Date: 14-SEP-2007

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